

Message Text

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ACTION EA-14

INFO OCT-01 EUR-25 ISO-00 DLOS-06 COA-02 EB-11 INT-08

COME-00 SCI-06 CIAE-00 DODE-00 PM-07 H-03 INR-10 L-03

NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SPC-03 SS-20

USIA-15 FEA-02 CIEP-02 TRSE-00 IO-14 CG-00 OMB-01

NSCE-00 DRC-01 /167 W

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R 050130Z MAR 74

FM AMEMBASSY TOKYO

TO SECSTATE WASHDC 356

INFO CINCPAC HONOLULU HI

USLO PEKING

AMEMBASSY SEOUL

AMEMBASSY SAIGON

AMCONGEN HONG KONG

AMEMBASSY MOSCOW

AMEMBASSY TAIPEI

C O N F I D E N T I A L TOKYO 2849

CINCPAC FOR POLAND

E.O. 11652: GDS

TAGS: PFOR, KS, CH

SUBJECT: JAPAN-ROK CONTINENTAL SHELF TREATY ENCOUNTERING
RATIFICATION PROBLEMS

REFS: (A) TOKYO 1616; (B) TOKYO 1783

SUMMARY: GOJ HOPES TO ACHIEVE RATIFICATION OF JAPAN-ROK
CONTINENTAL SHELF TREATY DURING CURRENT DIET SESSION
DESPITE CRITICISM FROM LDP DOVES AND POLITICAL OPPOSITION.
END SUMMARY.

1. EFFORTS OF GOJ TO ACHIEVE RATIFICATION OF CONTINENTAL
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SHELF JOINT DEVELOPMENT TREATY RECENTLY CONCLUDED

WITH ROK (REFTEL A) ARE ENCOUNTERING OPPOSITION FROM SEVERAL POLITICAL QUARTERS. IN LOWER HOUSE FOREIGN AFFAIRS COMMITTEE MEETING FEB. 22, OPPOSITION JSP MEMBERS DEMANDED THAT GOVERNMENT ABANDON PLANS TO ACHIEVE RATIFICATION DURING CURRENT DIET SESSION ON GROUNDS THAT (A) BOTH CHINA AND NORTH KOREA HAVE DENOUNCED TREATY AS INFRINGING ON THEIR TERRITORIAL RIGHTS; (B) TREATY DOES NOT PROTECT JAPANESE FISHING RIGHTS ADJACENT TO KYUSHU; AND (C) TREATY ESTABLISHES FORMAL POSITIONS WHICH MAY NOT BE CONSISTENT WITH DECISIONS TO BE MADE BY UPCOMING LAW OF SEA CONFERENCE. SIMILAR CRITICISMS WERE VOICED BY LDP DOVES DURING FEB. 28 MEETING OF LDP FOREIGN AFFAIRS COMMITTEE, WITH ADDITIONAL POINT THAT IT WOULD BE PREMATURE TO CONCLUDE MAJOR AGREEMENT WITH ROK BEFORE MUTUAL TRUST HAS FULLY RECOVERED FROM RUPTURE CREATED BY KIM TAE JUNG INCIDENT. FINALLY, AT LEAST ONE MEMBER OF RIGHT-WING SEIRANKAI HAS EXPRESSED CONCERN FOR PROTECTION OF JAPANESE FISHING INTERESTS, AND SUGGESTED EXTREME CAUTION CONSIDERING FACT THAT TREATY WOULD BE BINDING FOR 50 YEARS.

2. IN RESPONSE TO CRITICISMS, FUMINO OHIRA AND FUMIO REPS HAVE MADE PARTICULARLY DETAILED EXPLANATIONS ON PRC ASPECT OF PROBLEM (REF B). BASICALLY, OHIRA STATED HE HAD INFORMED PRC DURING PEKING VISIT IN EARLY JANUARY OF IMPENDING AGREEMENT WITH ROK AND PROMISED TO EXPLAIN CONTENTS, BUT HE DID NOT INTEND TO DELAY RATIFICATION PENDING PRC APPROVAL SINCE THAT WOULD NOT BE EASY TO OBTAIN. FUMIO REPS ALSO INDICATED THAT GOJ HAD BEEN CAREFUL TO FOLLOW PRECEDENTS OF INTERNATIONAL LAW AND NOT INCLUDE AREAS WITHIN SCOPE OF AGREEMENT OVER WHICH CHINESE SOVEREIGNTY WOULD CLEARLY EXTEND. (IN FACT, ONE TECHNICIAN TOLD FUMIO THAT TREATY PROVISIONS MAY UNDERCUT GOJ INTERESTS ELSEWHERE ON ASIAN CONTINENTAL SHELF.)

3. DURING PRESS CONFERENCE FEB 28, FUMIO VICE MIN TOGO ACKNOWLEDGED THAT OPPOSITION TO CONFIDENTIAL

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TREATY HAD ALSO ARISEN WITH RULING LDP (ALL OPPOSITION PARTIES ARE OPPOSED TO IT) AND THEREFORE THAT IT WAS DOUBTFUL WHETHER GOJ COULD OBTAIN DIET APPROVAL DURING CURRENT SESSION AS PLANNED. PRESS REPORTED SIMILAR VIEWS EXPRESSED BY LDP FOREIGN AFFAIRS COMMITTEE CHAIRMAN FUJII, WHO INDICATED THAT HIS COMMITTEE WILL BE CONDUCTING EXTENDED DISCUSSION ON THIS SUBJECT.

4. QUESTIONED BY EMBOFF ON THESE REPORTS, FONOFF
NORTHEAST ASIA DIV. DEPUTY HEAD ASAKAI CONFIRMED
THAT OUTLOOK FOR RATIFICATION IS MOST UNCERTAIN.
HE EXPLAINED USUAL PROCEDURES FOR RATIFICATION
START WITH INFORMAL SOUNDINGS IN LDP FOREIGN
AFFAIRS CIRCLES, AND ONLY AFTER GROUND HAS
BEEN PRPARED DOES CABINET FORMALLY DECIDE TO
PRESENT TREATY TO DIET. ASAKAI SAID FONOFF HOPES
THAT SOUNDINGS CAN BE COMPLETED IN TIME FOR NEXT
REGULAR FRIDAY CABINET MEETING (MARCH 8) TO SEND
TREATY TO DIET, BUT HE ADMITTED THAT DECISION
COULD WELL ROLL OVER TO FOLLOWING WEEK. HE NOTED
THAT TREATY HAS SEVERAL RAMIFICATIONS WHICH DRAW
INTEREST AND CONCERN IN VARIETY OF POLITICAL
QUARTERS, AND THEREFORE DIFFICULTIES BEING
ENCOUNTERED ARE NOT SIMPLY REFLECTION OF
USUAL PRO AND ANT-ROK DIVISION AMONG DIET MEMBERS.
IN RESPONSE TO QUESTION, HE SAID ROK EMBASSY TOKYO
HAS NOT YET EXPRESSED ANY CONCERN TO FONOFF
ABOUT OUTLOOK FOR TREATY AND HE ASSUEMES THEY ARE
AWAITING TO SEE HOW SITUATION DEVELOPES. HE SUMMED
UP BY STATING THAT FONOFF IS HOPING THAT RATIFICATION
CAN BE COMPLETED DURING CURRENT DIET SESSION
(WHICH MAY BE EXTENTED UNTIL LATE MAY).

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